

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NO. 1:25-CV-00368**

UNITED THERAPEUTICS  
CORPORATION,

*Plaintiff,*

v.

LIQUIDIA TECHNOLOGIES, INC.,

*Defendant.*

**PLAINTIFF UNITED THERAPEUTICS CORPORATION’S MOTION FOR A  
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION  
AND REQUEST FOR ORAL ARGUMENT**

Pursuant to Fed. R. Civ. P. 65 and 35 U.S.C. § 283, Plaintiff United Therapeutics Corporation (“UTC”), by and through undersigned counsel, respectfully moves for a Temporary Restraining Order (“TRO”) and Preliminary Injunction (“PI”) Order to enjoin Defendant Liquidia Technologies, Inc. (“Liquidia” or “Defendant”) and its privies, subsidiaries, affiliates, officers, agents, servants, employees, attorneys, and those acting or attempting to act in concert with Liquidia from:

1. Infringing any asserted claim of U.S. Patent No. 11,357,782;
2. Making, using, manufacturing, marketing, storing, importing, distributing, offering for sale, and/or selling Liquidia’s inhaled dry powder formulation of treprostinil, Yutrepia<sup>™</sup>, for the treatment of pulmonary arterial hypertension and pulmonary hypertension associated with interstitial lung disease; and

3. Promoting, advertising, marketing, distributing, or supplying Liquidia's inhaled dry powder formulation of treprostinil, Yutrepia<sup>™</sup>, so as to induce others' infringement.

UTC respectfully requests that the Court grant this Motion for Temporary Restraining Order and Preliminary Injunction Order for the reasons given in the accompanying Memorandum of Law. Pursuant to Local Rule 65.1(b), UTC respectfully requests leave to present oral argument in support of this Motion.

UTC's Motion for a Temporary Restraining and Preliminary Injunction is supported by the contemporaneously filed (1) Memorandum of Law; (2) Declaration of Steven D. Nathan, M.D. in Support of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction, dated May 9, 2025; and (3) Declaration of Frederic Selck, Ph.D., in Support of Plaintiff's Motion for a Temporary Restraining Order and Preliminary Injunction, dated May 9, 2025. A Proposed Order is attached.

This the 9th day of May, 2025.

SMITH, ANDERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, L.L.P.

/s/ Christopher G. Smith

Christopher G. Smith

N.C. State Bar No. 22767

David A. Pasley

N.C. State Bar No. 52332SMITH,

Post Office Box 2611

Raleigh, North Carolina 27602-2611

Telephone: (919) 821-6745

Email: csmith@smithlaw.com

dpasley@smithlaw.com

William C. Jackson\*  
D.C. Bar. No. 475200  
Goodwin Procter LLP  
1900 N Street, NW  
Washington, DC 20001  
Telephone: (202) 346-4000  
Email: WJackson@goodwinlaw.com

Douglas H. Carsten\*  
CA Bar No. 198467  
McDermott Will & Emery LLP  
12636 High Bluff Drive, Suite 325  
San Diego, CA 92130  
Telephone: (619) 467-1802  
Email: Dcarsten@mwe.com

*\*Notice of special appearance forthcoming*

*Attorneys for United Therapeutics Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed with the Court using the CM/ECF system. I further hereby certify the foregoing documents are being served with the Complaint and accompanying documents via a designated delivery service pursuant to 26 U.S.C. § 7502(f)(2), addressed as follows:

Liquidia Technologies, Inc.  
c/o Corporation Service Company  
2626 Glenwood Ave., Ste 550  
Raleigh NC 27608

Sanya Sukduang  
COOLEY LLP  
1299 Pennsylvania Avenue, NW, Suite 700  
Washington, DC 20004-2400  
*Attorney for Defendant Liquidia Technologies, Inc.  
in related M.D.N.C. Case No. 1:25-cv-00299-TDS*

Dated: May 9, 2025

/s/ Christopher G. Smith  
Christopher G. Smith  
N.C. State Bar No. 22767  
SMITH, ANDERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, L.L.P.  
Post Office Box 2611  
Raleigh, North Carolina 27602-2611  
Telephone: (919) 821-6745  
Email: csmith@smithlaw.com

*Attorneys for United Therapeutics Corporation*